

#309

PTO/SB/64 (11-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

First named inventor:

PETER A MILLER

Application No.:

09/242072

Art Unit:

1724

Filed:

14 January 2000

Examiner:

Curtis
RECEIVED

Title:

JUL 14 2004

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 872-9306

OFFICE OF PETITIONS

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a
notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the
expiration date of the period set for reply in the Office notice or action plus an extensions of time
actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

no fee required (see P.D. letter 8 JUNE 2004 / RC Tang)

☐ Small entity-fee \$ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☐ Other than small entity - fee \$ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in

the form of Responses to Office Actions (identify type of reply):☒ has been filed previously on 31.05.2002 / 06.08.2002 / 11.03.2003☐ is enclosed herewith.

B. The issue fee of \$

☐ has been paid previously on☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

4 July 2004
Date

P. A. Miller
Signature

Telephone

Number: 0044 1670 519246

PETER A MILLER
Typed or printed name

2, Low Heighley Cottage
Address

Enclosures: ☐ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☐ Other: _____

MORDET, GREAT BRITAIN NE61 4BY
Address

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ deposited with ^a~~the~~ United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

04 July 2004
Date

P. A. Miller
Signature

PETER A MILLER
Type or printed name of person signing certificate



Peter Miller
2, Low Heighley Cottage
Morpeth
GREAT BRITAIN
NE61 3BY

T/Fx: 01670 519246

MAIL STOP PETITIONS
Commissioner of Patents
PO Box 1450
ALEXANDRIA
VA 22313-1450
USA

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JUL 14 2004

OFFICE OF PETITIONS

Re: Application Miller
App. No : 09/242,072
Filed : 14 January 2000
"Apparatus for liquid purification"

Your letter dated 8 June 2004
R C Tang, Petitions Attorney

Dear Sirs,

Enclosed are the completed forms as requested.

This pertains to the revival of my application that was unintentionally abandoned in the course of the examination process by Mr Cintins. I have claimed during the latter stages of the examination that apart from matters of form the application was in the condition of Allowance since my reply dated 31 May 2002 (App.5) to the Office Action 10 March 2002 (OA7).

In the subsequent exchanges,

- Office Action 23 June 2002 (OA8) / Reply 6 August 2002 (App.6)
- Office Action 12 December 2002 (OA10) / Reply 11 March 2003 (App.App.8),

disregarding all the intervening Petitions and PO Declarations there remains nothing for me as applicant to answer for regarding the examiners comments and objections and there is nothing technically now standing in the way of Allowance. I therefore now request that the examiner should be advised to enter any of the outstanding non-entered amendments and conclude the examination.

During the period cited above I was not aware that I had committed any infringement concerning dead-lines and the condition of abandonment that resulted was entirely unintentional.

Yours sincerely,


Peter Miller

Encl: Petition for Revival / Appl. Change of Address / Backgroun

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JUL 14 2004

OFFICE OF PETITIONS

PTO/SB/122 (06-03)

Approved for use through 11/30/2005. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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CHANGE OF CORRESPONDENCE ADDRESS Application

Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450.

Application Number

09/242072

Filing Date

16 January 2000

First Named Inventor

Peter A Miller

Art Unit

1724

Examiner Name

Centur

Attorney Docket Number

—

Please change the Correspondence Address for the above-identified patent application to:

☐ Customer Number :

OR

☐ Firm or
Individual Name

Peter A MILLER

Address

2, LOW HEIGHLEY COTTAGE,

Address

MORPETH, GREAT BRITAIN NE61 3BY

City

State

Zip

Country

Telephone

01670 519246

Fax

aiff

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the:

☒ Applicant/Inventor

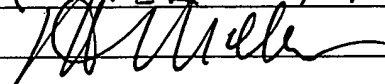
☐ Assignee of record of the entire interest.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☐ Attorney or Agent of record. Registration Number _____

☐ Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number _____
Typed or Printed
Name

PETER ANTHONY MILLER

Signature



Date

Telephone

0044 1670 519246

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Background (OA=Office Action / App.=Applicant's Action):

1999

(App.1) 1999 January 29: IPC application transmittal letter with Declaration mailed to USPTO - "Apparatus for liquid purification".

2000

(OA1) 2000 January 14: USPTO filing date.
 (OA2) 2000 Sept. 20: Application forwarded to National Stage Processing Branch of PTO by PCT Legal Office
 (App.2) 2000 October 9: Applicant mailed amended IPC claims (marked up and clean) to comply with USPTO regulations.
 (OA3) 2000 October 25: PTO mailed Filing Receipt (Acknowledgement of receipt of nonprovisional Patent Application (09/242.072)).

2001

(OA4) 2001 March 3: **PTO mailed Office examination action / 1st Final Rejection**

(App.3) 2001 April 2: Applicant mailed response to 1st Final Rejection
 (OA5) 2001 Sept. 3: Statutory 6 months from date of mailing of Final Rejection allowed to lapse by the PTO Examiner.

(OA6) 2001 October 2: Notice of Non-Compliant Amendment (37 CFR 1.121) mailed by Legal Instruments Examiner (Marked-up Amendments of Description and Claims I in Applicants response 2001, April 2 not supplied in "clean" version as well)

(App.4) 2001 October 20: "Clean" versions timely mailed to PTO.

2002

(OA7) 2002 March 10: **PTO mailed Office examination action / 2nd Final Rejection**

(App.5) 2002 May 31: Applicant mailed response to **2nd Final Rejection**.

APPLICATION NOW IN A CONDITION OF ALLOWANCE

(OA8) 2002, June 23: Office Action

(App.6) 2002 August 6: Applicant's response to Office Action 2002, June 23

(OA9) 2002 August 23: PTO communication

(App.7) 2002 Sept. 5: Petition by Applicant to Commissioner

(OA10) 2002 Dec. 12: Office action

2003

(OA11) 2003 January 6: PTO communication (Technology Center 1700)
 PETITION DISMISSED / NOTICE OF ABANDONMENT

(OA12) 2003 January 13: Office communication / NOTICE OF ABANDONMENT

(App.8) 2003 March 11: Applicant's response to OA10 (12 December 2002)

(App.9) 2003 March 26: Applicant's PETITION to the Commissioner